

Town Board Minutes

June 7, 2010

Meeting No. 16

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 7th day of June 2010, at 6:30 PM and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD MEMBER
KRISTIN KEANE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
GEORGE PEASE, ASSISTANT CODE ENFORCEMENT OFFICER
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE
BUFFALO FILTER CORPORATE HEADQUARTERS**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Gold Seal Equity Partnership (GSEP) matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
John Dudziak, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 9.5 acres.

The location of the premises being reviewed is 5872 Genesee Street, County of Erie, Lancaster, New York

This project is described as a new 50,000 square foot single story pre-engineered metal building, asphalt pavement and landscaping.

On April 19, 2010, this matter was partially reviewed under SEQR by the Municipal Review Committee (MRC). The MRC tabled the review until the project sponsor provided the results of the Phase One investigation required by the New York State Office of Parks, Recreation and Historic Preservation.

A motion to reconvene this matter was made by Council Member Stempniak, seconded by Council Member Ruffino which was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER CONNELLY	VOTED YES
PLANNING BOARD MEMBER KEANE	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Motion to reconvene was thereupon adopted.

June 7, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED
BY COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

NOTICE OF DETERMINATION

BUFFALO FILTER CORPORATE HEADQUARTERS

NEGATIVE DECLARATION

REASONS SUPPORTING DETERMINATION

FINDINGS STATEMENT - PROJECT IMPACTS

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. * The proposed action will result in a small to moderate physical change to the project site.
 - Construction will be on land where bedrock is within three feet of the existing ground surface.
 - Construction will be in two phases.
2. * The proposed action will not affect any unique or unusual land forms found on the site.
3. * The proposed action will not affect any water body designated as protected.
4. * The proposed action will not affect any non-protected existing or new body of water.
5. * The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
 - It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction..
6. * The proposed action will not alter drainage flow patterns or surface water runoff.
7. * The proposed action will have a small to moderate impact on air quality.
 - This project will increase the amount of land committed to industrial use.
8. * The proposed action will have a small to moderate impact on threatened or endangered species.
 - It is likely that pesticide or herbicide will be applied more than twice a year for lawn care purposes.
9. * The proposed action will not substantially affect non-threatened or non-endangered species.
10. * The proposed action will not affect agricultural land resources.
11. * The proposed action will not affect aesthetic resources.

12. The proposed action will have a small to moderate impact on a site or structure of historic, pre-historic or paleontological importance. The proposed action will occur substantially contiguous to a facility and site listed on the State or National Register of Historic Places and in an area designated as sensitive for archaeological sites on the New York State site inventory. Although the current plans do not indicate an impact to Historic Sites, future development may. For this reason site plan approvals must consider designs that will mitigate any potential impact. In a letter dated May 27, 2010 from the New York State Office of Parks, Recreation and Historic Preservation, the State Agency concluded, in part, that the "Project will have no impact upon cultural resources". This communication is on file.
13. * The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. * The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. * The proposed action will have a small to moderate impact on existing transportation systems.
 - The project may alter present patterns of movement of people and goods.
16. * The proposed action will not affect the community's sources of fuel or energy supply.
17. * There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. * The proposed action will not affect public health and safety.
19. * The proposed action will affect the character of the existing community.
 - The project will cause a small to moderate impact upon the density of land use.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

*** IT IS NOTED THAT THESE FINDINGS WERE ADOPTED BY THE MUNICIPAL REVIEW COMMITTEE ON APRIL 19, 2010.**

SEAL

June 7, 2010

and,

s/s _____
Robert H. Giza, Supervisor
Town of Lancaster

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER CONNELLY	VOTED YES
PLANNING BOARD MEMBER KEANE	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon adopted.

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ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
PLANNING BOARD MEMBER CONNELLY FOR ADJOURNMENT OF THE MEETING,
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER CONNELLY	VOTED YES
PLANNING BOARD MEMBER KEANE	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 6:40 P.M.

Signed _____
Johanna M. Coleman, Town Clerk